

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS
FAYETTEVILLE DIVISION

CRIMINAL NO. 07-50051-002/003

USA v. MICHAEL CRAGAN and
MICHELLE CRAGAN

COURT PERSONNEL:

APPEARANCES:

Judge: JIMM LARRY HENDREN

Govt. WENDY JOHNSON

Clerk: GAIL GARNER

Deft. BRIAN PHILLIPS/MATTHEW
HORAN

Reporter: THERESA SAWYER

SENTENCING MINUTE SHEET

On this date the above named defendants appeared in person and with counsel for sentencing and are sworn.

- (X) Inquiry made that defendants are not under influence of alcohol or drugs and are able to comprehend proceedings.
- (X) Inquiry made whether defendants are under the care of a physician or taking any medication and are able to comprehend proceedings.
- (X) Inquiry made that defendants are satisfied with counsel.
- (X) Court determined that defendants and counsel have had opportunity to read and discuss presentence investigation report.
- (X) Presentence investigation report reviewed in open court.
- (X) Court expresses final approval of plea agreement.
- (X) Victim Impact Statements: 1. Tom Giller, Kraft Foods; 2. Rae Ann Campellone by letter dd 10/22/07 (Court's Ex. #1).
- (X) Evidence presented: 1. Pat Cragan; 2. Bill McClish; 3. Debbie Stevenson.
- (X) Government's motion for downward departures addressed by the court - granted and 3 level departure awarded for defendant Michael Cragan and 1 level departure awarded for defendant Michelle Cragan.
- (X) Counsel for defendants afforded opportunity to speak on behalf of defendants.
- (X) Defendants afforded opportunity to make statement and present information in mitigation of sentence.
- (X) Attorney for government afforded opportunity to make statement to court.

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(X) Court proceeded to impose sentence as follows:

As to Michael Cragan:
24 months imprisonment; 3 years supervised release;
\$30,000.00 fine - interest waived.

As to Michelle Cragan:
10 months imprisonment; 1 year supervised release;
\$10,000.00 fine - interest waived.

(X) Defendants ordered to comply with standard conditions of supervised release.

(X) Defendants ordered to comply with following special conditions of supervised release:

Do not incur any new debt or establish bank accounts prior to payment of fine without permission of USPO.

Make financial information available to USPO at their request.

(X) Defendants ordered to pay total special assessment of \$100.00 each for count 1, which shall be due immediately.

(X) Indictment dismissed on motion by government.

(X) Defendants advised of right to appeal sentence imposed.

(X) Defendants advised of right to apply for leave to appeal in forma pauperis.

(X) Appeal packet provided.

(X) Defendants allowed to remain on present bond and surrender no later than 2:00 p.m. on Thursday, 9/25/08 .

DATE: SEPTEMBER 3&4, 2008

Proceeding began: 11:08 AM
recess: 12:31 PM
reconvene: 8:26 AM
ended: 9:30 AM